GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Service - Agricultural Marketing Department - Departmental Proceeding Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu – Under Rule 20 Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Under Rule 172 of Andhra Pradesh (Agriculture Product & Livestock) Market Rules, 1969 - Articles of Charges – Issued.

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AGRICULTURE AND COOPERATION (VIG.II) DEPARTMENT

G.O.RT.No. 774 Dated: 02-12-2019

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ORDER:

1. It is proposed to hold an enquiry against Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 read with Under Rule 172 of Andhra Pradesh (Agriculture Product & Livestock) Market Rules, 1969.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Article of Charge (Annexure - I & II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu is directed to submit his written statement of defense within 15 days from the receipt of this order.

4. Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu is further informed that an enquiry will be held only in respect of those articles of charges as that are not admitted. He should, therefore, specifically admit or deny the article of charge.

5. Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu is further informed that, if he does not submit his written statement of defense on or before the date specified in Para 3 above, further action will be proceeded based on the material available.

6. The attention of Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Charge Memo may be acknowledged.

(BY THE ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

To
Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu (through Spl. C&DoAM, A.P., Guntur)
The Special Commissioner & Director of Agricultural Marketing, A.P., Guntur (with a request to serve the order to the charged officer and return the served copy with dated ack.,)
SC.

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.774 , A&C(Vig.II) Dept., Dt:02.12.2019]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI B.SANKAR NAIK, S/o B.LAKHME NAIK, 48 YRS, JUNIOR MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, ANANTHAPURAMU.

That Sri B.Sankar Naik, S/o B.Lakhme Naik joined in to Government service on 21.04.1994 as Watchman and worked in Agricultural Market Yard, Kadiri from 21.04.1994 to 30.06.2003. He got promotion as Junior Marketing Supervisor on 18.11.2013 and working as Junior Marketing Supervisor at Agricultural Market Yard, Ananthapuramu from 18.11.2013 to till date i.e., on 22-04-2018. While working as Junior Marketing Supervisor in Agricultural Market Yard, Ananthapuramu he has committed grave misconduct in as much as:-

Charge-1 :

He was found collecting unauthorized amounts at weekly cattle market, from the purchases of cattle and he was found in possession of the said collecting amount of Rs.900/-.

Charge-2:

He was habitually collecting illegal amounts from the purchasers of the cattle at the Weekly Cattle Market without issuing receipts or by issuing receipts for the lesser amounts, to cattle purchasers for the amounts paid by them towards market fee.

Charge-3:

He failed to control his subordinate staff i.e., the Outsourcing Security guards / Watchmen namely Sri Jarutla Obulesu, Sri RallaPalli Rama Naidu, Sri Sannayappagari Lakshmana Murthy, Sri Nadimidoddi Nageswaraiah, Sri Meenuga Mahesh and Sri Middi Dhanunjaya from collecting amounts illegally from the purchasers of the cattle from the Weekly Cattle Market.

Thus, the Government Servant Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu by his above mentioned acts exhibiting lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby contravened Rules 3(1) and (2) of APCS (Conduct) Rules, 1964.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.774 , A&C(Vig.II) Dept., Dt:02.12.2019]

ANNEXURE- II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI B.SANKAR NAIK, S/o B.LAKHME NAIK, 48 YRS, JUNIOR MARKETING SUPERVISOR, AGRICULTURAL MARKET COMMITTEE, ANANTHAPURAMU.

Sri B.Sankar Naik, S/o B.Lakhme Naik joined in to Government service on 21.04.1994 as Watchman and worked in Agricultural Market Yard, Kadiri from 21.04.1994 to 30.06.2003. He got promotion as Junior Marketing Supervisor on 18.11.2013 and working as Junior Marketing Supervisor at Agricultural Market Committee, Ananthapuramu from 18.11.2013 to till date i.e., on 22-04-2018. His date of birth is 10.07.1968. He attains age of Superannuation on 31.07.2028. He is here-in-after referred to as Government Servant.

Charge-1 :

He was found collecting unauthorized amounts at weekly cattle market, from the purchases of cattle and he was found in possession of the said collecting amount of Rs.900/-.

Charge-2:

He was habitually collecting illegal amounts from the purchasers of the cattle at the Weekly Cattle Market without issuing receipts or by issuing receipts for the lesser amounts, to cattle purchasers for the amounts paid by them towards market fee.

Charge-3:

He failed to control his subordinate staff i.e., the Outsourcing Security guards / Watchmen namely Sri Jarutla Obulesu, Sri RallaPalli Rama Naidu, Sri Sannayappagari Lakshmana Murthy, Sri Nadimidoddi Nageswaraiah, Sri Meenuga Mahesh and Sri Middi Dhanunjaya from collecting amounts illegally from the purchasers of the cattle from the Weekly Cattle Market.

FACTS AND EVIDENCE :

Brief facts are that on 22.04.2018 the ACB officials of Ananthapuramu Range in the presence of two mediators conducted surprise check at the Cash Counter of Weekly Cattle Market of Agricultural Market Committee, Ananthapuramu located in the Agriculture Market Yard, Gooty Road, Ananthapuramu Town, by the officials of AntiCorruption Bureau and the mediators divided into two separate groups watched the functioning of Cash Counter of Weekly Cattle Market from 11.35 to 12.30 hours and found that the Government Servant along with his staff were collecting market fee from the cattle purchasers. Immediately they entered in to the cash counter found and the Government Servant in the chair. There was an office table in-front of him and cash receipt books, a bank swiping machine and a black colour cash bag were there on it. At that time one of his staff was also present in the said counter and remaining staff were found at the gate and were stopping the purchasers who were going outside along with the purchased Livestock and also stopping the vehicles in which the cattle are being transported from the Market Yard to outside, instructing the purchasers to go to the cash counter for paying market fee and sometimes

collecting amounts from them without giving any receipt. The two persons present at the Cash counter were giving receipts for some amounts received by them from the purchasers of cattle and sometimes they received the cash without giving the receipts to them. The Inspector, Anti-Corruption Bureau, Ananthapuramu disclosed his identity and ascertained the identity of the Government Servant and his staff members.

Charge-1 :

He was found collecting unauthorized amounts at weekly cattle market, from the purchases of cattle and he was found in possession of the said collecting amount of Rs.900/-.

During the surprise check proceedings the Government Servant was found in possession of Rs.900/-, Sri J.Obulesu was found in possession of Rs.1410/-, Sri Ramanaidu was found in possession of Rs.2, 150/-, Sri S.Lakshmana Murthy was found in possession of Rs.1,060/-, Sri N.Nageswaraiah was found in possession of Rs.500/-, Sri M.Mahesh was found in possession of Rs. 60/- and Sri M.Dhanunjaya was found in possession of Rs.110/- respectively.

Charge-2:

He was habitually collecting illegal amounts from the purchasers of the cattle at the Weekly Cattle Market without issuing receipts or by issuing receipts for the lesser amounts, to cattle purchasers for the amounts paid by them towards market fee.

During the Surprise Check, the C.R.Book Register for the year 2018-19, Remittance Register and Cash Chitta Register were verified and found that Sri N.Maha boob Peera was received 12 No’s of Cash Receipt books bearing Nos. 14 75 to 1486 from the office of Secretary, Agricultural Market Committee on 20.4.2018 and did not remitted the Cash to the Government which he was collected on 21.04.2018 and 22.04.2018.

During the course of surprise check proceedings Sri K. Nooruddin, Secretary of Agricultural Committee of Ananthapuramuamu was enquired and he informed that the procedure laid down in the marketing rules 1% of purchase cost is being collected towards market fee from the purchasers of the cattle and staff who are deputed to the said duty has to collect the same duly filling the cash receipt in triplicate and the original has to be given to the customer while the duplicate and triplicate has to be return back to the office along with collected market fee.

On enquiry with some of the purchasers of the cattle from the Weekly Cattle Market 1) Sri Macha Eswaraiah, S/o M.Subbaiah, age 32 yrs, Kammuru vg., Kuderu (M); 2) Sri Suddula Sivanna, S/o Naganna, age 38 yrs, Cholasamudram Vg., Kuderu (M); 3) Sri Kappala Ramakrishna, S/o K.Rushingappa, age 40 yrs, Jalalapuramu vg., Singanamala (M); 4) Sri D.Subbarayudu, S/o D.Venkata Ramudu, 55 yrs, Near State Bank, Bathalapalli; 5) Sri S.Katamaiah, S/o S.Nagappa, 50 yrs, Raghavampalli vg., Bathalapalli (M) and 6) Sri Kavali Chandra, S/o K.Peddanna, 25 yrs, Molakalapenta vg., Guntakal (M) stated that they used to come to cattle sandy situated at Agricultural Market Yard, Ananthapuramu to purchase the cattle / sheep for their needs, after purchasing the cattle, while they are returning, the staff of Market Committee who were present at the gate are insisting to pay the market fee at Cash Counter. Sometimes, the said staff issues receipts to them for the amounts paid by them towards market fee, sometimes they wouldn't give the receipts for the amounts paid by them

towards market fee and sometimes they issue receipts for the lesser amounts which they paid towards market fee to them and etc. facts.

Charge-3:

He failed to control his subordinate staff i.e., the Outsourcing Security guards / Watchmen namely Sri Jarutla Obulesu, Sri RallaPalli Rama Naidu, Sri Sannayappagari Lakshmana Murthy, Sri Nadimidoddi Nageswaraiah, Sri Meenuga Mahesh and Sri Middi Dhanunjaya from collecting amounts illegally from the purchasers of the cattle from the Weekly Cattle Market.

As per the letter in Roc.No.A1/127/ACB/2018, dt.21.05.2018 of Assistant Director of Marketing, Ananthapuramu, all the employees who are having revenue collection duties should maintain all the required Registers such as Movement Register, Duty Register, Job Chart, Cash Chitta, Personal Cash Declaration Register at check posts as well as at cash collection points in the Market Yards, as A.P. Financial Code is applicable to Agricultural Market Committees also on par with other Government Institutions.

Hence Sri B.Sankar Naik, Junior Marketing Supervisor was found collecting unauthorized amounts from the purchasers of the cattle from the Weekly Cattle Market with the assistance of his staff, thereby causing pecuniary loss to the Government and he was found in possession of illegal and un-authorized amount of Rs.900/- collected from the purchasers of the cattle from the Weekly Cattle Market, failed to give explanation for habitual collection of illegal amounts form the purchasers of the cattle from the Weekly Cattle Market without issuing receipts / issuing receipts for the lesser amounts to cattle purchasers for the amounts paid by them towards market fee.

Thus Sri B.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu by his above mentioned acts exhibiting lack of integrity, devotion to duty and conduct unbecoming of a public servant and thereby contravened Rules 3(1) & (2) of APCS (Conduct) Rules, 1964.

Thus the Government Servant, Sri 8.Sankar Naik, Junior Marketing Supervisor, Agricultural Market Committee, Ananthapuramu rendered himself liable for regular departmental action for major penalty.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.774 , A&C(Vig.II) Dept., Dt:02.12.2019]

ANNEXURE – III

LIST OF WITNESSES

1. Sri G.Reddy Balaji, S/o G.Pakeerappa, age 52 yrs, Asst. Social Welfare Officer, Ananthapuramu R/o Plot No. 603, Nishkala Apartments, 2nd cross, Aravind Nagar, Ananthapuramu town (Mediator-1).

2. Sri T.Irshad Ahamed, S/o T.Basheer Ahamed, age 56 yrs, Hostel Welfare Officer, S.W.Boys Hostel, Tarimela village, Singanamala mandal, R/o D.No.12/912, 5th Cross, Sainagar, Ananthapuramu town (Mediator-2).

3. Sri K.Nooruddin, Selection Grade Secretary, Agricultural Market Committee, Ananthapuramu.

4. Smt. B.Himasaila, Assistant Director of Marketing, Ananthapuramu.

5. Sri Macha Eswaraiah, S/o M.Subbaiah, age 32 yrs, Kammuru vg., Kuderu (M) (purchaser of cattle)

6. Sri Suddula Sivanna, S/o Naganna, age 38 yrs, Cholasamudram Vg., Kuderu (M) (purchaser of cattle)

7. Sri Kappala Ramakrishna, S/o K.Rushingappa, age 40 yrs, Jalalapuramu vg., Singanamala (M) (purchaser of cattle**);**

8. Sri D.Subbarayudu, S/o D.Venkata Ramudu, 55 yrs, Near State Bank, Bathalapalli (purchaser of cattle)**;**

9. Sri S.Katamaiah, S/o S.Nagappa, 50 yrs, Raghavampalli vg., Bathalapalli (M) (purchaser of cattle)**;**

10. Sri Kavali Chandra, S/o K.Peddanna, 25 yrs, Molakalapenta vg., Guntakal (M) (purchaser of cattle)**;**

11. Sri R.Prathap Reddy, Inspector of Police, ACB, Ananthapuramu (purchaser of cattle)**;**

12. Sri T.V.Chakravarthi, Inspector of Police, ACB, Ananthapuramu (purchaser of cattle)**;**

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.774 , A&C(Vig.II) Dept., Dt:02.12.2019]

ANNEXURE - IV

LIST OF DOCUMENTS

1. Surprise check proceedings drafted on 22.04.2018 from 13.30 hours to 21.00 hours at the cash counter of Agriculture Market Committee, Ananthapuramu.

2. C.R.Book Register for the year 2018-19: It is maintained in a bound book having Page Nos 1 to 264 and found the entries were made in Page No. 2 to 7 from 3.4.2018 to 22.4.2018

3. Remittance Register: It is maintained in a bound book having Page Nos 1 to 268 and found the entries were made in Page No. 3 to 56 from 01.01.2018 to 21.4.2018

4. Cash Chitta Register: It is maintained in a long bound book having Page Nos 1 to 203 and found the entries were made in Page No.2 to 20 from April, 2018 to 21.4.20183)

5. Statements of six Cattle Purchasers recorded during the Surprise Check Proceedings on 22.04.2018.

6. Proceedings, dt.13.04.2017 of Secretary, Agricultural Market Committee, Ananthapuramu with regard to the allocation of duties to the staff.

7. Certificate furnished by the Secretary, Agricultural Market Committee, Ananthapuramu with regard to maintenance of Personal Cash Register etc.,

8. Service particulars and Job Chart of staff of Agricultural Market Committee, Ananthapuramu furnished by Secretary, Agriculture Market Committee, Ananthapuramu.

9. Reply in Roc.No.27/2018, dt.28.4.2018 of the Secretary, Agricultural Market Committee, Ananthapuramu with regard to the timings of duty staff at the Weekly Cattle Market on 21 &22.04.2018.

10. Reply in Roc.No.A1/127/ACB/2018, Dt.21.05.2018 of Assistant Director of Marketing, Ananthapuramu with regard to the procedure of Collection of Market Fee at Cattle Market and etc.,

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER